

Council Meeting
January 15, 2008 – 5:00 pm

The meeting was called to order by President Spaetti. Councilmen Spaetti, Bunner, Ebert, Kroeger, Kress, Cochenour, Winsett, and Attorney Wetherill were present.

Minutes

Kress made a motion to approve the minutes for 12/4/07. Winsett seconded. All in favor. Kroeger made a motion to approve the minutes for 12/18/07. Ebert seconded. All in favor. Bunner made a motion to approve the minutes for 1/02/08. Cochenour seconded. All in favor. Cochenour made a motion to approve the minutes for 01/08/08. Winsett seconded. All in favor.

LTRSD

Christian Decker, the council appointment to the Luce Township Regional Sewer Board, stated that he is still looking through all of the information. His first meeting went well and the board is considering different options to bring the community together.

Spaetti stated that Grady Gordon was voted President and Ed Ingram was voted Vice-President. Cochenour stated that the last meeting was the best one he has gone to yet. Winsett agreed it was better, but still would like to withhold the funding until we see something done. He stated that he still believes that Luce should get sewers. Bunner asked if he is saying that if the money is withheld and then progress is made, that the council then could re-instate the funding. Winsett said yes.

Shelton explained currently the ordinance states that the county gives half of the funding in May and half in November. Kroeger stated that the ordinance could be amended. Kroeger asked Wetherill to research what procedures are needed to amend the ordinance or delay the payment.

Winsett stated that after the last sewer meeting he spoke with board attorney Robinson and he said he would postpone the trials, but he has been checking and nothing has been done yet. Spaetti asked how many suits were filed. Ingram stated that he thought it was originally nine but three have since signed their easements. Spaetti thanked Decker and Ingram for coming to the meeting.

Fulda Sewer

Francis Lueken, attorney for the Fulda Regional Sewer District, stated that the Fulda Sewer District will have an annual meeting on Monday, February 11th, at 6:00 pm at the Fulda Sportsman Club. He stated that in 2007 the district netted \$10,000 in income over expenses. He further stated that all of the county officials are invited to attend the annual meeting.

Additional Appropriations

County General:

Commissioners / Surveyors Vehicle Repairs – Gogel stated that the county highway garage was able to repair the truck for \$3,000. Ebert made a motion to approve the request for \$3,000. Bunner seconded. All in favor.

Riverboat:

Legal Services – Lueken stated that the defendants in the sexually oriented business litigation have appealed to the Indiana Supreme Court. A response is due by the end of January to state the county's position that they should not hear the case. The request for \$10,000 is to be used for legal services regarding the appeal and other ongoing expenses. Wetherill stated that if the ordinance is upheld in court then the 231 Plaza will have to adhere to the ordinance and keep any sexually oriented products under 35% of their business. This in no way implies that they must lock their doors. They can continue in business as a restaurant, a gas station, or convenient store. Discussion was had on any legal enforcement and criminal activity. Cochenour made a motion to approve the request for \$10,000. Kress seconded. All in favor.

Pre-Trial Diversion:

Cash Match VOCA Grant – Dartt requested a cash match of \$8,000 for the Victims Advocate Becky Kramer. The cash match brings her salary up to the same pay as other county employees. Dartt stated that she is an asset to the county, working with the victims of crime, keeping them informed, and being with them through the trial process. Kramer also works to get no contact orders on NCIC and transmitted to all law enforcement

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offices. Wetherill stated he has found in his work as a criminal attorney that the position promotes efficiency. Sheriff Lindsey stated it is a big help for the sheriff's office to be able to send victims who are checking on the status of a case to Kramer. Dartt also stated that the prosecutor's office is not allowed to enter into a plea agreement in Indiana until the victim is informed and Kramer makes those calls. Ebert made a motion to approve the request for \$8,000. Kress seconded. All in favor.

Transfers

Sheriff Lindsey requested a transfer from Dispatcher to Senior Dispatcher in the amount of \$23,992.08. Kroeger made a motion to approve the request. Cochenour seconded. All in favor.

Commissary Report

Sheriff Lindsey presented the council with the commissary report for 2007. The commissary is administered by Jailer Shirley Richards. The management fee for the work she does with the commissary was raised from \$125 to \$250 per month. Lindsey stated that the jail sold almost \$70,000 worth of items to the prisoners in 2007. The cost of items was approximately \$39,000 and the management fee was \$2,875. So the profit for 2007 was \$28,823. Out of the profit \$19,000 was spent on training and equipment. Other items paid for with this money include: five lap top computers, landscaping for the jail, legal representation for the Sheriff, elementary school students were sent to Law Camp, training for the new Chapel Program, substance abuse programs, haircuts for inmates, a digital camera for booking, a television to replace one in the jail which was broken, two desktop computers, two vacuums and various other items. Cochenour made a motion to approve the commissary report. Kress seconded. All in favor.

LEPC Spending Plan

EMA Director Al Perdue presented the 2008 Local Emergency Planning Committee (LEPC) Spending Plan to the council. The LEPC deals with all of the chemicals in the county and would help if there was a chemical spill or other chemical emergency. Money is collected from each of the facilities that use chemicals in the county. Kroeger made a motion to approve the spending plan. Ebert seconded. All in favor.

Community Corrections Board

Dartt stated that the commissioners approved of the hiring of Janice Weber as the Community Corrections Director and the commissioners signed the lease for the office space above the Prosecutor's office to house Community Corrections.

Dartt explained the budget for Community Corrections (CC) through June 30, 2008. He stated that salaries will be paid out of the grant funds.

Kroeger questioned what CC would be doing. Dartt stated that Bunner sits on the board. He also explained that three of the positions already exist – Tom Martin, Assistant Director; Lisa Brown, Case Manager; and Marva Stateler, Educational Coordinator. The Assistant Educational Coordinator, Rebecca Miller, is currently volunteering. All four of these positions will now be paid for by the grant. In addition the Director, Janice Weber, will be paid out of the grant and user fee funds. The director will be coordinating all of the CC programs, including Work Release, Drug Court, Community Service and Day Reporting.

Ebert asked if the grant can be counted on to continue. Dartt stated that the Department of Corrections has offered the grant since the 80's and they have never decreased funding, only increased. But all of the employees are aware that if the funding ends then the program ends.

Discussion was had on the rate of pay for the part-time Assistant Educational Coordinator and the Field Corrections Officers. It was explained that the higher part-time rate for the Assistant Educational Coordinator is because she is a licensed teacher. The Field C.O.'s rates are based on the pay scale for officers in the Sheriff's department, because they are law enforcement officers.

Bunner stated that the only two negatives he sees with the program are the differences in the pay scale from other part-time employees and that if the funding stopped then the county will be liable for unemployment. Kroeger asked for Deputy Prosecutor Wilkinson to accrue money in the budget for unemployment. Wilkinson stated that there is room in the budget to add unemployment. Shelton also stated that in the past the county has

paid part-time employees differently if a specific degree was required, such as the nurses in the Health Department and the engineering student that works summers for the county engineer.

Bunner asked Dartt to elaborate on the plans for the field officers. Lindsey stated that in the beginning only the full-time Field C.O. will be hired, until it is determined what field officers will do. Dartt stated the position does require some sort of law enforcement background. He said the position is one of the most important parts of the program.

Kroeger made a motion to approve the budget for the Community Corrections Board. Ebert seconded. All in favor. Cochenour made a motion to approve the Amendment to the Salary Ordinance. Bunner seconded. All in favor.

Wetherill explained that an ordinance is needed to enable the Auditor’s office to deposit fees collected from the programs administered by Community Corrections into the Community Corrections Project Income Fund. The state has specified that all grant money and fee money must be deposited into separate funds. Ebert made a motion to approve An Ordinance Providing For The Deposit Of funds Generated By The Spencer County Corrections Board Into The Community Corrections Project Income Fund. Winsett seconded. All in favor.

Surveyor – Drainage

Surveyor Sublett explained that at the end of the year the unused portion of the money the council appropriated for the drainage projects rolled back into the Rainy Day Fund. Next month an additional will be coming before the council requesting the balance of approximately \$104,000 be re-appropriated for the projects. Sublett also explained that since the first project came in under the projected cost, some of the money will be used to clean a drain that runs from the Luce Township Elementary School. The drain is not moving the water away form the newly installed septic system for the school.

Surveyor – Beaver Trapping

Sublett stated that last year the county paid a beaver trapper \$500 to trap the beavers which are building dams in the county drains. The trapper was then allowed to sell the pelts. This year he would like to hire two trappers due to the high number of dams in the county.

Kress made a motion to adjourn. Cochenour seconded. All in favor. The meeting was adjourned at 6:29 pm.

County Council,

_____ President	_____
_____	_____
_____	_____
Attest:	_____
_____	_____
Cindy Shelton, Auditor	_____
